

Exhibit 19

Subject: FW: A question about the water trail.

Date: Thursday, July 22, 2010 3:52 PM

From: Tom Sinclair <tsinclair@coastal.ca.gov>

To: Tom Sinclair <tsinclair@bcdcc.ca.gov>

-----Original Message-----

From: Adrienne Klein [mailto:adriennek@bcdcc.ca.gov]

Sent: Mon 7/12/2010 4:45 PM

To: Tom Sinclair

Cc:

Subject: FW: A question about the water trail.

Tom, West Point Marina is going to be a big and juicy case for you b/c Mark

Sanders, the principal, doesn't think too highly of us. This is one of your top priorities.

--

Adrienne Klein

SF BCDC

50 California Street, Suite 2600

SF CA 94111

415-352-3609

<http://www.bcdcc.ca.gov/>

----- Forwarded Message

From: Brad McCrea <bradm@bcdcc.ca.gov>

Date: Tue, 29 Dec 2009 12:07:53 -0800

To: <macmcgrath@comcast.net>

Cc: Adrienne Klein <adriennek@bcdcc.ca.gov>

Subject: Re: A question about the water trail.

Jim,

After reviewing two BCDC permits (21-98 for Pacific Shores, and 2-02 for Westpoint Marina), I have some additional information for the public access requirements at the sites. I've also attached a simple map that roughly depicts the access areas at the sites. However, the map is not absolutely correct so I'll be getting corrections to our GIS folks here.

Regarding Pacific Shores, the BCDC permit is very explicit that the permittee was to create ³vegetative buffers around portions of the project site to minimize disturbance to sensitive wildlife habitat.² The permit requires that portions of the pathway near Westpoint Slough mudflats (at the large lawn area called the Play Meadow) ³shall be set back approximately 100 feet to minimize disturbances to shorebirds and wildlife.² Landscaped mounds

varying in height from 5.5 to 7 feet were built to screen the active recreation uses at the site's Play Meadow from the sensitive tidal mudflats along Westpoint Slough. So it is implied that folks should stay out of the tidal area, but it does not appear to be explicitly restricted. See the attached photos.

Regarding Westpoint Marina, there are many public access requirements, one of which is for a public boat launch ramp. All of the public access improvements are tied to a phased implementation of the marina project. The boat launch is in the first phase. I believe it is required to be open now, but it would take a site visit to confirm. This marina is being privately developed and the authorized improvements are being rolled out very slowly. Therefore, the public access may be taking longer than we originally thought. I'm copying Adrienne Klein in case she knows more about whether Mr. Mark Sanders has complied with his public access requirements.

Brad

On 12/20/09 11:18 AM, "macmcgrath@comcast.net" <macmcgrath@comcast.net> wrote:

> Brad-- Can you check on the location of the Bay Trail, and any restrictions?
> A good map would be very helpful to send this guy, and I am working to get all
> of SFBA looking into kiting access. What is of interest to me here is that
> kilters, like kayakers in the past, are just kind of asserting their
> constitutional interest in the Bay Waters by commando tactics. At a low
> enough level of users, that may be a good thing. At some level of use,
> parking and wildlife conflicts become issues and we need to develop
> communication protocols that enlist kayakers and boardsailors in proper
> education of our members. But right now, this is the undelivered
promise of
> the Water Trail, with the overall effort stalled. End users are
reluctant to
> scold our members because of the continued hostility of some to any
> recreational access, and hyperbole in their arguments, and their
continued
> fighting of formalizing access points that have been used for years.
There
> are a number of these that I am working on.
>
> I must confess that I wasn't a very effective representative of kilters
in the
> Water Trail meetings because I didn't understand their interests and
needs as
> well as those of windsurfers and kayaks. With the trail stalled as
badly as
> it has been, and the overt hostility to all access no matter what that
comes

> from Barbara Salzman, it is hard to say that we have created a stakeholder
> group that will advocate for access in the right places. (Barbara will always
> say that there are no right places, and if recreational users have rights they
> shouldn't.)

> So with that in mind, what do you think is the best way to give kilters
> meaningful input into establishing some new sites?

> Jim

> ----- Original Message -----

> From: Brad McCrea

> To: macmcgrath@comcast.net

> Sent: Wed, 16 Dec 2009 02:08:46 +0000 (UTC)

> Subject: RE:Fwd: Re: A question about the water trail.

> Jim,

> I'm pretty sure that there is no water access at pacific shores. As a matter

> of fact, the public access was routed away from the shoreline for a stretch

> due to wildlife concerns.

> At westpoint marina, there may be a public dock that was required in a future

> phase but I'll have to check to be sure. I'll do that tomorrow morning for

> both projects.

> Brad

> -----Original Message-----

> From: macmcgrath@comcast.net

> Sent: Mon, 14 Dec 2009 4:24:11 PM America/Los_Angeles

> To: bradm@bcdcc.ca.gov

> Subject: Fwd: Re: A question about the water trail.

> Brad--I just got this inquiry about public access in the West Bay, and I know

> you have that cool tool for looking things up. This guy wants to know if

> there were any public access requirements for Westpoint Harbor, and also for

> the Bay Trail at Redwood Shores. If there are real habitat concerns about the

> latter, I'd like to caution him away.

> Jim

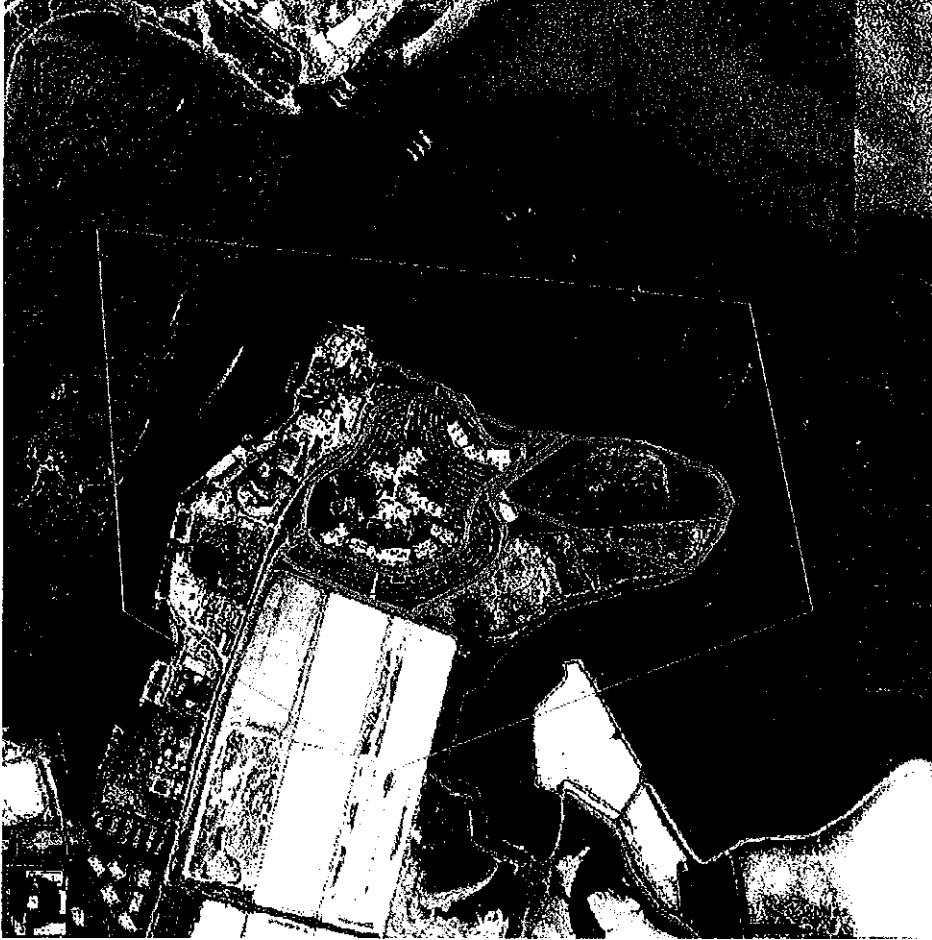
> ----- Forwarded Message -----

> From: George Haye
> To: macmcgrath@comcast.net
> Sent: Tue, 15 Dec 2009 00:10:21 +0000 (UTC)
> Subject: Re: A question about the water trail.
>
> Hi Ron,
> You may have already heard back from Jim McGrath about this, but if not,
in a
> day or two be sure to write a new email to him directly, at:
>
> macmcgrath@comcast.net
>
> He's The Man when it comes to the water trail stuff.
>
> Cheers,
> George
> SFBA
>
>
>
> --- On Mon, 12/14/09, ron_powers@comcast.net wrote:
>
>> > From: ron_powers@comcast.net
>> > Subject: A question about the water trail.
>> > To: coyote@sfba.org
>> > Cc: info@sfba.org
>> > Date: Monday, December 14, 2009, 2:54 PM
>> > sfba and Jim,
>> >
>> > I have been kiting for about 8 yrs in the bay. The last 2
>> > winters I
>> > have been doing research on potential launch spots in
>> > anticipation of
>> > spring. I have read the water trail project papers and am
>> > happy to see a
>> > glimmer of hope for more bay access. I wanted to bounce a
>> > couple of
>> > questions off of you. Last year I went to the Pacific
>> > Shores Center in
>> > Redwood City and saw an 800 foot wide slough conveniently
>> > located in
>> > front of a nice grassy area and public Bay Trail. Is there
>> > access off
>> > of the Bay Trail into that water?
>> >
>> >
>> >
>> > Also, I have been watching the progress of the new
>> > Westpoint Harbor and
>> > noticed that it is labeled as a future launch point for the
>> > Water Trail
>> > Project (which is slightly different than the Bay Trail).
>> > Today when
>> > walking in the parking lot of this new (not yet finished)
>> > harbor, the
>> > owner approached me and said it was a "private

>> > marina" and that there
>> > was no public access to the navigational waters from there.
>> > Do you have
>> > a better understanding of what water rights a kiter has in
>> > these
>> > potential areas? Your response would be greatly
>> > appreciated.
>> >
>> > Regards,
>> >
>> > Ron

----- End of Forwarded Message

Pacific Shores



selected access

Study Area

Select Public Access Results

selected access (4)

FID	PERMIT	CITY	DESCR	STATUS	length_mil	Shape_Length
1	2-02	Redwood City	Westpoint Marina and Boatyard	?	1.09869	1768.170568446345
2	21-98	Redwood City	pacific Shores	??	2.61103	4202.055613708581
3	3-84	Redwood City	Pier 5	Completed	0.0475428	56.531711292213075
4	10-83	Redwood City	Marina	Completed	0.0871067	66.99910979832852



Google

Images by: Geological Survey

Imagery Date: Jul 2007
37°30'51.03" N 122°11'52.39" W
Eye alt: 3.07 km

